

1997

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

BOARD OF SENIOR SECONDARY

STUDIES BILL 1997

EXPLANATORY MEMORANDUM

**Circulated by authority of
Bill Stefaniak MLA
Minister for Education and Training**

EXPLANATORY MEMORANDUM

Board Of Senior Secondary Studies Bill 1997

Outline

The Board of Senior Secondary Studies Bill 1997 establishes the ACT Board of Senior Secondary Studies (BSSS) as a statutory authority. The Bill is based on the operations of the current Board that has operated in different forms as an agency of the Department of Education and Training since 1975.

Under the Act the Board is responsible for accrediting and registering courses including vocational education, establishing procedures for assessment of students and issuing certificates of attainment. The Board will advise the Minister on these matters.

The Board will produce an Annual Report under the Annual Reports (Government Agencies) Act 1995.

Financial Impact

The establishment of the Board is expected to be cost neutral.

PART I - PRELIMINARY

Part I provides for the formal matters of the Act including the short title, date of commencement and interpretation of terms. Commencement of the Board of Senior Secondary Studies Act 1997 will be notified in the Gazette.

PART II - THE BOARD OF SENIOR SECONDARY STUDIES

Establishment of the Board

Part II establishes the Board as a body corporate. It details the Board's functions and powers, accountability to the Minister, membership and procedures.

The functions of the Board relate to accrediting and registering courses for educational institutions, establishing procedures for assessment of students, issuing certificates of attainment, and providing advice to the Minister.

The Board has the power to do all things necessary to perform its functions including appointment of committees.

The Minister may direct the Board on the performance of its functions. The Minister may not give a direction that relates to a particular student or a particular assessment. Details of Ministerial directions and the measures taken are to be published in the Board Annual Report.

Membership of the Board

The Board will comprise thirteen members appointed for no longer than three years by instrument by the Minister in consultation with relevant stakeholders. The Chief Executive of the Department of Education and Training and the executive officer of the Board shall also be members of the Board.

The Chairperson of the Board is eligible for reappointment and shall receive such remuneration allowances as specified in the instrument of appointment.

Members are required to disclose any interest they have in a matter under consideration.

Board members will be protected from legal liability for any actions taken in good faith in performing their functions.

Procedures of the Board

The Board Chairperson shall convene meetings as necessary. A quorum consists of eight members. There will be written minutes of proceedings. Questions arising at a meeting shall be decided by a majority of votes.

The Board may delegate any of its powers to a member or member of staff of the Board.

Executive Officer

The Chief Executive of the department will maintain a position in the government service for the executive officer of the Board. The executive officer shall perform such functions as the Board directs. The services of the public service staff may be used by the Board. The Public Sector Management Act 1994 applies in relation to management of these staff.

PART III - ADMINISTRATION

Part III establishes procedures for accreditation and registration of courses and certificates of attainment.

Division 1 - Accreditation and registration of courses

The Division details procedures for accrediting and registering courses. It also includes a process for reviewing the non-accreditation of courses.

Division 2 - Certificates of attainment

The Division covers procedures for issuing certificates of attainment. A process for reviewing a decision of the Board not to issue a certificate is also outlined.

Part IV - Miscellaneous

This part covers provision of information on academic performance, a register of courses and transitional provisions.

The section on transitional provisions lists all Board activities which are to continue under the new Act.